

N.D.P.S. 190/2022

(Arising out of Islampur P.S. Case No. 387 of 2022 dated 25.08.2022)

Order No. 05, dated 12.09.2022.

Accused 1. Abdul Kabil Sk., 2. Mozibar Sk. and 3. Sohail Rana @ Rana are produced from J.C.

Bail petition filed for accused Sohail Rana @ Rana is moved.

By affirming of an affidavit, Learned advocate for the above named accused/petitioner submits that no application under section 439 of the Cr.P.C is pending before the Hon'ble High Court at Calcutta or earlier rejected by the Hon'ble High Court at Calcutta.

Ld. Advocate for the accused/petitioner submits that the accused/petitioner is innocent and he has been falsely implicated in this case. He further submits that considering the amount of recovery of the seized contraband, the accused may be released on bail on any condition.

Learned P.P. in-charge raises objection against the prayer for bail.

Heard both sides.

Perused the case record.

Considered.

It appears from the seizure list that the amount of recovery of the seized contraband is below the commercial limit but in the formal F.I.R. there is mention of Section 21(c)/29 of the N.D.P.S. Act.

In the above premises, the investigating officer of this case is directed to appear personally before this court positively on the next date fixed along with a written report and to explain this court that when the seized contraband comes within the purview of intermediate quantity, why the case has been registered u/S. 21(c)/29 of the N.D.P.S. Act.

Another bail petition is also filed for accused Abdul Kabil Sk. and Mozibar Sk. but subsequently Ld. Advocate for the accused persons, by filing a petition, prays for time for hearing the bail petition.

Heard. Considered.

To 14.09.2022 for personal appearance of the I.O. of this case, production of the accused persons and hearing bail petitions.

Call for C.D.

Let a copy of this order be sent to the I.O. of this case through S.P., Murshidabad for information and compliance.

Dictated & corrected by me,

Judge.
(J.O. Code WB 01301)
(In-charge)

Judge, Special Court, Under N.D.P.S. Act,
Berhampore, Murshidabad.
(J.O. Code WB 01301)
(In-charge)